

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:13-cr-00054-MR-DLH

UNITED STATES OF AMERICA, )  
                                  )  
                                  Plaintiff, )  
                                  )  
                                 vs. )                                  O R D E R  
                                  )  
                                  )  
JOHN ROBERT GILBERT, )  
                                  )  
                                 Defendant. )  
                                  )  
                                  )

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**THIS MATTER** is before the Court on the Defendant's letter, which the Court construes as a motion for a release of detainer. [Doc. 23].

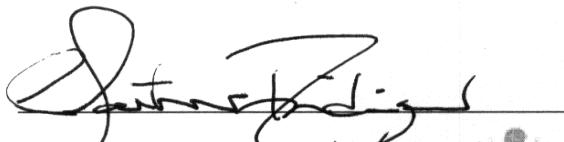
The Defendant pleaded guilty to charges of being a felon in possession of a firearm and ammunition and was sentenced to a total of 51 months' imprisonment. [Doc. 20]. The Defendant is currently serving his federal prison term. In his letter, the Defendant states that he has received notice from the North Carolina Department of Motor Vehicles that he has a charge pending for failing to appear for a charge of driving on a revoked license. The Defendant asks that this Court give him "time served for this charge and clear it from your outstanding revocations so I can start over in life." [Doc. 23 at 1].

The Defendant appears to be referencing an outstanding state charge, for which this Court cannot exercise any jurisdiction. Accordingly, the Defendant's request must be denied. Such denial, however, is without prejudice to the Defendant seeking appropriate relief in the North Carolina state courts pursuant to the Interstate Agreement on Detainers Act.

**IT IS, THEREFORE, ORDERED** that the Defendant's letter, which the Court construes as a motion for a release of detainer [Doc. 23], is **DENIED**.

**IT IS SO ORDERED.**

Signed: August 17, 2016



Martin Reidinger  
United States District Judge

